

**FIFTH REGULAR SESSION**

Johnstown, NY

May 14, 2018

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bradt, Breh, Callery, Fagan, Greene, Groff, Handy, Howard, Kinowski, Lauria, Perry, Potter, Rice, Selmser, Waldron, Wilson, Young

TOTAL: Present: 20 Absent: 0

Chairman Groff called the meeting to order at 1:02 p.m. and followed with the Pledge of Allegiance to the Flag.

**PUBLIC SPEAKERS**

Chairman Groff then asked if there was anyone from the public who wished to address the Board. No one came forward.

**INVITED SPEAKERS**

**1:10 P.M PRESENTATION BY CHELSEA CIRILLO, MISS FULTON COUNTY - 2018**

Miss Cirillo introduced herself and expressed that her platform is “easing the burden of poverty among local families”. She explained that she was a participant in the Youth group at her church while she was a teenager. She expressed that after participating in the Youth group she wanted to find ways to stay involved in her community so she reached out to the Salvation Army who involved her in the “Toys for Tots” program. She advised that she also participates in the Big Brothers and Big Sisters program and she is a big sister to a girl who is from Schenectady. Her main platform goal is to help middle school and high school girls obtain feminine products and soaps to maintain good hygiene. She expressed that she has contacted multiple schools and will be delivering products to the school nurses for them to discretely distribute to the girls in need.

Mr. Lauria expressed that it is very helpful to provide these products through a school nurse. Mr. Young encouraged Miss Cirillo to contact stores within Fulton County to see if they would be willing to donate any items. Ms. Born advised that local churches typically have womens groups that would help supply needed items. She expressed that she would speak with her church to help support Miss Cirillo’s platform.

Chairman Groff then asked for the reading of the Communications that were on the Agenda.

**COMMUNICATIONS**

1. Letter from Marc W. Butler, New York State Assembly  
Subj: Response to Board of Supervisors’ letter regarding Resolution No. 115 of 2018 opposing proposed PILOT initiative for State Forest Land as part of the 2018-19 State budget

2. Letter from Terry Martino, Executive Director, Adirondack Park Agency  
Subj: Response to Board of Supervisors’ letter regarding Resolutions No. 115 and 116 opposing proposed PILOT initiative for State Forest Land and the current 480 and 480-A Forest exemption
3. Letter from Miller, Mannix, Schachner & Hafner, LLC  
Subj: Regarding Town of Johnstown – SEQRA Notice to Potential Involved and/or Interested Agency of Intention to Serve as SEQRA Lead Agency

## **REPORTS**

- A. Fulton County Industrial Development Agency “Basic Financial Statements” for 2017 [Priority Reading]

## **UPDATES FROM STANDING COMMITTEES**

***Buildings & Grounds/Highway:*** Supervisor Fagan advised that the Fulton County Office Building Renovation Project (Phase I) started today. He hopes that any confusion that the public is having when finding the correct entrance will become easier in the next few days.

## **REPORTS OF SPECIAL COMMITTEES**

***Soil and Water Conservation District:*** Supervisor Greene advised that the last Meeting was held on April 17, 2018. They accepted bids on the drainage tile and it will be coming from the same company as before since they were the lowest bidder. Fulton County Highway and Facilities asked for help with replacing certain culverts. The District also needs to complete repairs on multiple dry hydrants. Mr. Greene advised that the next meeting will be held on May 15, 2018.

## **CHAIRMAN’S REPORT**

Chairman Groff advised that he, Administrative Officer, Jon Stead, and other County Supervisors attended the New York Municipal Insurance Reciprocal (NYMIR) 25<sup>th</sup> Anniversary Conference and it was an informative gathering. He advised that Mr. Stead and all other members should be commended for all that it does for the Towns, Cities and Counties within New York State.

## **RESOLUTIONS (TITLES ATTACHED)**

***No. 179 (Resolution endorsing the concept of completing a County Office Building Asbestos Abatement Project)*** – Mr. Stead explained that there are currently no quotes or bids at this time which is why the title is “endorsing the concept”.

**PUBLIC HEARING TO RECEIVE COMMENTS REGARDING PROPOSED LOCAL LAW “A” OF 2018 “A LOCAL LAW AMENDING LOCAL LAW 5 OF 2017 THAT ESTABLISHED A SUSTAINABLE ENERGY LOAN PROGRAM IN THE COUNTY OF FULTON TO ADOPT PACE FINANCING 2.0”**

Chairman Groff opened the Public Hearing to receive comments regarding proposed Local Law “A” of 2018 “A Local Law Amending Local Law 5 of 2017 that Established a Sustainable Energy Loan Program in the County of Fulton to Adopt PACE Financing 2.0” at 1:30 p.m.

There being no one expressing a desire to speak, the Chairman stated that he would keep the hearing open for a while.

A motion was offered by Supervisor Fagan, seconded by Supervisor Callery and unanimously carried, to waive the Rules of Order to take Action on Late Resolutions 220 and 221.

Chairman Groff called for a ten (10) minute recess at 1:40 p.m.

Chairman Groff again asked if there were any members of the public who wished to make comments regarding proposed Local Law “A” of 2018 “A Local Law Amending Local Law 5 of 2017 that Established a Sustainable Energy Loan Program in the County of Fulton to Adopt PACE Financing 2.0”. There being no interested speakers, Chairman Groff closed the Public Hearing at 1:53 p.m.

**PUBLIC HEARING TO RECEIVE COMMENTS REGARDING THE COUNTY’S COMMUNITY DEVELOPMENT NEEDS, AND TO DISCUSS A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT TO DELI MASTER FOODS**

Chairman Groff opened the Public Hearing to receive comments regarding the County’s Community Development needs, and to discuss a proposed Community Development Block Grant to Deli Master Foods at 1:53 p.m.

*Steve Schiavo, Johnstown, NY* – Mr. Schiavo stated that he opened a small retail store on Harrison Street back in 2009 and then moved to the Glove Cities Industrial Park. He expressed that he wants to move to Van Road for a larger site based upon additional growth. He also expressed that he can do a great job and could get more people to work for him. He stated that they have a community based company and are familiar with the area. He stated that any help he could get through the Community Development Block Grant program could help him move into the new building.

*John Schiavo, Johnstown, NY* – Mr. Schiavo thanked the Board of Supervisors for allowing him and his father Steve Schiavo the opportunity to speak today. They were working to improve their business in the community.

*Ronald Peters, Gloversville, NY* – Ronald Peters, President, Fulton County Center for Regional Growth, stated that the Community Development Block Grant application is great and will be an asset to this business. He expressed that if said grant application is approved then it would

enhance the County's efforts for the Hales Mills Extension commercial area. Mr. Peter's stated that the total project costs approximately \$550,000.00. He expressed that he looks forward to working with Deli Master Foods on this project.

Chairman Groff again asked if there were any members of the public who wished to make comments regarding the County's Community Development needs, and the proposed Community Development Block Grant to Deli Master Foods. There being no interested speakers, Chairman Groff closed the Public Hearing at 2:00 p.m.

Upon a motion by Supervisor Potter, seconded by Supervisor Young and unanimously carried, the Board entered into Executive Session at 2:01 p.m. to discuss the employment history of a contractor.

Upon a motion by Supervisor Waldron, seconded by Supervisor Argotsinger and unanimously carried, the Board returned to Regular Session at 2:14 p.m.

**NEW BUSINESS**

Mr. Lauria expressed that he read an article that was published in the Daily Gazette about consolidated services and thought that it was a good article. Ms. Born stated that Gloversville is all in favor, but Johnstown should think about it also.

Upon a motion by Supervisor Lauria, seconded by Supervisor Fagan and unanimously carried, the Board entered into Executive Session at 2:19 p.m. to discuss employment history.

Upon a motion by Supervisor Greene, seconded by Supervisor Waldron and unanimously carried, the Board returned to Regular Session at 2:53 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Waldron and unanimously carried, the Board adjourned at 2:55 p.m.

*Certified by:*

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*Jon R. Stead, Administrative Officer/      DATE*  
*Clerk of the Board*

**Resolution No. 176**

Supervisors FAGAN and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE 2018 ADOPTED BUDGET TO REFLECT ACTUAL  
CHIPS AND PAVE NY REVENUE AND APPROVING  
NEW “REALIGN COUNTY ROAD 158” CAPITAL PROJECT

WHEREAS, the Superintendent of Highways and Facilities estimated Consolidated Local Street and Highway Improvement Program (CHIPS) revenue of \$1,019,655.00 and PAVE NY revenue of \$232,746.00 for 2018; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,019,325.28 in CHIPS funding for 2018; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$232,671.14 in PAVE NY funding for 2018; and

WHEREAS, Fulton County received 2018-2019 Extreme Winter Recovery Funds of \$138,448.86 that were not anticipated in the Adopted Budget; now, therefore be it

WHEREAS, the Superintendent of Highways and Facilities has proposed to amend the 2018 Capital Plan to create a new “Realign County Road 158” project in advance of a County Road Paving/Reconstruction project anticipated in 2019; now, therefore be it

RESOLVED, That the 2018 Capital Plan be, and hereby is, amended to include a new “Realign County Road 158” project at a cost of \$75,000.00; and, be it further

RESOLVED, That the 2018 Adopted Budget be and hereby is amended, as follows:

Budget Amendment:

Decrease D.1000.0599-0599 REV-Appropriated Fund Balance \$63,044.00

Revenue:

Decrease D.5010.5112-3501 REV-State Aid-Consolidated Highway \$330.00

Increase D.5010.5112-3589 REV-State Aid-Other Transportation \$138,374.00

Appropriation:

Increase D.5010.5112-4132.0158 EXP-Road Construction-158 \$75,000.00

and, be it further

**Resolution No. 176 (Continued)**

RESOLVED, That the County Treasurer and Superintendent of Highways and Facilities do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 177**

Supervisors FAGAN and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE 2018 BID AWARD FOR ABRASIVES  
SNOW AND ICE CONTROL**

WHEREAS, Resolution 136 of 2018 Awarded Bids for Various Highway Construction Materials for Use in the Department of Highways and Facilities; and

WHEREAS, said Resolution inadvertently omitted the list of successful bidders for “Abrasive Snow and Ice Control” contracts for the period May 1, 2018 through April 30, 2019; and

WHEREAS, the Superintendent of Highways and Facilities requests to amend said contract award for the purchase of Abrasive Snow and Ice Control, to include the following successful bidders:

- |                 |                                         |
|-----------------|-----------------------------------------|
| <b>D 5142.1</b> | <b>Abrasive Snow &amp; Ice Control</b>  |
|                 | Carver Sand & Gravel, LLC, Altamont, NY |
|                 | Delaney Crushed Rock, Northville, NY    |
|                 | Furman Aggregates, Gloversville, NY     |
|                 | Rifenburg General Contractors, Troy, NY |

now, therefore be it

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 178**

Supervisors FAGAN and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ALLOWING NEW CASTLE PAVING, LLC TO WITHDRAW ITS BID FOR  
HOT MIX PAVING AND AWARDED BID TO HANSON AGGREGATES FOR  
COUNTY ROAD 140**

WHEREAS, Resolution 136 of 2018 Awarded Bids for Various Highway Construction Materials for Use in the Department of Highways and Facilities; and

WHEREAS, subsequent to that award, the Superintendent of Highways and Facilities received a letter from New Castle Paving, LLC., requesting to withdraw its bid for Hot Mix Paving of County Road 140 in the Town of Ephratah; and

WHEREAS, the Superintendent of Highways and Facilities recommends awarding said bid to the next lowest responsible bidder Hanson Aggregates; now, therefore be it

RESOLVED, That the award of Hot Mix Paving to New Castle Paving, LLC., is hereby rescinded; and, be it further

RESOLVED, that said bid be awarded to Hanson Aggregates of Jamesville, NY at a cost of \$13,203.00; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, New Castle Paving, LLC.; Hanson Aggregates., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 179**

Supervisors FAGAN and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ENDORSING THE CONCEPT OF COMPLETING A COUNTY OFFICE BUILDING ASBESTOS ABATEMENT PROJECT**

WHEREAS, the 2018 Fulton County Capital Plan includes a \$650,000.00 Energy Project for Air-Conditioning in the County Office Building, LED Lighting in certain buildings and Variable Frequency Drive Motors at the Fulton County Correctional Facility; and

WHEREAS, Asbestos Abatement is required prior to beginning the aforementioned Energy Project at the County Office Building and the Superintendent of Highways and Facilities estimates the cost to be less than \$30,000.00; and

WHEREAS, the Superintendent of Highways and Facilities will obtain quotes for Asbestos Abatement; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby authorizes the Superintendent of Highways and Facilities to obtain three (3) quotes for Asbestos Abatement services for the Fulton County Office Building and to return to the Committee on Buildings and Grounds/Highways and Board of Supervisors with detailed costs and a contract proposal for said work; and; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways & Facilities, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor SELMSER and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 180**

Supervisors FAGAN, CALLERY and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING AMENDMENT TO THE FULTON COUNTY COMPLEX I & II CUSTODIAL SERVICES CONTRACT WITH BREZZY'S CLEANING SERVICE TO INCLUDE OFFICE FOR AGING AND FORT JOHNSTOWN BUILDINGS**

WHEREAS, Resolution 384 of 2017 awarded a bid to Brezzy Cleaning Services for Cleaning Services in County Complex I and II; and

WHEREAS, the Superintendent of Highways and Facilities recommends amending said contract to include full custodial services at Fulton County Office for Aging and Fort Johnstown Buildings in an amount not to exceed \$8,000.00 effective May 15, 2018 through December 31, 2018; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Buildings and Grounds/Highway, and Finance, the Chairman of the Board be and hereby is authorized to sign an amendment to the contract with Brezzy Cleaning Services, of Gloversville, NY, for Custodial Services at the Fulton County Office for Aging Building and Fort Johnstown Building, effective May 15, 2018 through December 31, 2018, at a cost not to exceed \$8,000.00 (approximately \$1,000.00 per month) ; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.1620.1620-1000-EXP-Payroll	\$8,000.00	
To: A.1620.1622-4130-EXP- Contractual		\$4,000.00
To: A.1620.1628-4130-EXP- Contractual		\$4,000.00

and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Brezzy Cleaning Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 181**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING KATHLEEN KILMARTIN TO THE FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD**

WHEREAS, a vacancy currently exists on the F-M-S Workforce Development Board; and

WHEREAS, in accordance with federal regulations, the Fulton County Regional Chamber of Commerce and Industry nominated Ms. Kathleen Kilmartin, Director of Human Resources at Community Health Center Healthcare (CHCHC) to serve as a private sector board member; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, Kathleen Kilmartin, of Johnstown, NY, be and hereby is appointed to the F-M-S Workforce Development Board, as a “Private Sector” representative effective for the balance of the term May 31, 2016 through June 30, 2019; and, be it further

RESOLVED, That Ms. Kilmartin is required to complete the Fulton County Board of Ethics Financial Disclosure Statement and sign the Fulton County Oath Book located in the Fulton County Clerk’s Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Ethics Board, Workforce Development Board, Fulton County Chamber of Commerce, Kathleen Kilmartin, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 182**

Supervisors WALDRON AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING EMPIRE STATE DEVELOPMENT GRANT TO ASSIST IN  
FUNDING THE VAIL MILLS WASTEWATER SYSTEM PROJECT  
(SMART WATERS – 2018 CAPITAL PLAN)

WHEREAS, Resolution 213 of 2017 authorized a NYS Consolidated Funding Application for a proposed 2018 Capital Project for Vail Mills Development Area (SMART Waters-2018 Capital Plan); and

WHEREAS, the County has been notified that it was awarded a grant to fund approximately 20 percent (\$250,000.00) of the costs of said project; and

WHEREAS, in order to accept the Capital Grant from NYS Empire State Development (ESD) that was awarded to the County, the required Incentive Proposal must be accompanied by the following application fees:

Empire State Development Grant Application Fee	\$ 250.00
Fulton County 1% Commitment Fee	\$ 2,500.00
Public Hearing Expenses	<u>\$ 750.00</u>
	\$ 3,500.00

now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to execute the required ESD Incentive Proposal between Fulton County and Empire State Development in an amount not to exceed \$250,000.00 and pay \$3,500.00 in fees for the Vail Mills Development Area Wastewater Project (SMART Waters-2018 Capital Plan); said agreement subject to the approval of the County Attorney and, be it further

RESOLVED, That said cost be charged to H.8020.8397-2100.0655 – EXP – SMART Waters Systems; and, be it further

RESOLVED, That certified copies of this Resolution be forward to County Treasurer, Planning Director, Empire State Development, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 183**

Supervisors WALDRON AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH DAN’S HAULING AND DEMO, INC. FOR THE DEMOLITION PROJECT AT THE TRYON TECHNOLOGY PARK (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan included the Tryon Technology Park Building Demolition Project; and

WHEREAS, Resolution 557 of 2017 awarded a bid to Dan’s Hauling and Demo, Inc. for said Demolition Project at the Tryon Technology Park; and

WHEREAS, Dan’s Hauling and Demo, Inc, have identified additional asbestos containing materials in Building No. 29 that were not originally identified during the asbestos survey; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with Dan’s Hauling and Demo, Inc. of Wynantskill, NY for proper removal of asbestos containing materials at the Tryon Technology Park, as part of the Demolition Project as follows:

Original Contract Amount:	\$100,200.00
Change Order No. 1	<u>+ 5,520.00</u>
Revised Contract Amount:	\$105,720.00

and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That said cost be charged to H.8020.6470-2100.0755 – EXP – FC Shovel Ready Land at Tryon Tech Park; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Dan’s Hauling and Demo, Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 184**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING REGARDING ADDING PROPERTIES INTO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, New York State Agriculture and Markets Law, Section 303-b, allows landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period each year; and

WHEREAS, Resolution 159 of 2004 established an annual 30-day time period during March for landowners to apply to the Fulton County Agricultural and Farmland Protection Board for inclusion in the Fulton County Agricultural District; and

WHEREAS, a property owner has requested that a certain parcel in the Town of Johnstown be included in Agricultural District No. 1; now, therefore be it

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors’ Chambers in the County Office Building, Johnstown, NY on June 11, 2018 at 1:30 p.m. for the purpose of holding a public hearing on requests from the following property owner to include the following properties in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
VTTK, LLC (Adam Hand)	115 Norboro Rd. (Tn. Johnstown)	118.-2-79.2	8.77

and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the request to have additional property included in the Agricultural District No. 1 in Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Town of Johnstown, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further purport of this Resolution.

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 185**

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION DECLARING THE FULTON COUNTY BOARD OF SUPERVISORS LEAD AGENCY AND AUTHORIZING THE FILING OF A NEGATIVE DECLARATION UNDER SEQR RELATED TO ADDING CERTAIN PARCELS TO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1

WHEREAS, Fulton County must conduct a State Environmental Quality Review Act (SEQRA) review regarding the proposed inclusion of additional properties into Fulton County Agricultural District #1; and

WHEREAS, inasmuch as the inclusion of predominantly viable agricultural land within an existing Agricultural District is a discretionary action of the Board of Supervisors, it is considered an Unlisted Action; and

WHEREAS, the Planning Department has prepared a Short Environmental Assessment Form (EAF) for this proposed action; and

WHEREAS, the lead agency must transmit a copy of the EAF and supporting materials to other Involved Agencies and notify them that Lead Agency must be established within thirty (30) calendar days; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby proposes that it serve as Lead Agency for the purpose of issuing a determination of significance under SEQR related to the proposed inclusion of the following properties:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
VTTK, LLC (Adam Hand)	115 Norboro Rd. (Tn. Johnstown)	118.-2-79.2	8.77

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, NYS Department of Agriculture and Markets, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 186**

Supervisors WALDRON AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR STATIONARY RECYCLABLES COMPACTOR FOR USE IN THE SOLID WASTE DEPARTMENT (2018 CAPITAL PLAN)**

WHEREAS, the 2018 Capital Plan includes one (1) Stationary Recyclables Compactor for use in the Solid Waste Department; and

WHEREAS, Resolution 97 of 2018 authorized advertisement for bids for said Stationary Recyclables Compactor and one (1) bid was received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that the Base Bid be awarded to Waste Harmonics, for one (1) Stationary Recyclables Compactor, at a cost not to exceed \$59,850.00; now, therefore be it

RESOLVED, That the net Base Bid, in the amount of \$59,850.00, as submitted by Waste Harmonics of Victor, NY for one (1) 2018 Stationary Recyclables Compactor, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, All Bidders, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 187**

Supervisors WALDRON AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR BULLDOZER FOR USE IN THE SOLID WASTE DEPARTMENT (2018 CAPITAL PLAN)

WHEREAS, the 2018 Capital Plan includes one (1) Bulldozer for use in the Solid Waste Department; and

WHEREAS, Resolution 98 of 2018 authorized advertisement for bids for said Bulldozer and three (3) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that the Base Bid be awarded to Nortrax, Clifton Park, NY for one (1) Bulldozer, at a net cost not to exceed \$294,200.00; now, therefore be it

RESOLVED, That the net Base Bid, with Trade-In of a used 2009 John Deere 850J Bulldozer in the amount of \$294,200.00, as submitted by Nortrax of Clifton Park, NY for one (1) 2018 John Deere 850K, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, All Bidders, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 188**

Supervisors WALDRON AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR TWO EJECTION TRAILERS FOR USE IN THE SOLID WASTE DEPARTMENT (2018 CAPITAL PLAN)**

WHEREAS, the 2018 Capital Plan includes two (2) Closed Top Ejection Aluminum Trailers for use in the Solid Waste Department; and

WHEREAS, Resolution 146 of 2018 authorized advertisement for bids for said Ejection Trailers and one (1) bid was received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that the Base Bid be awarded to Spector Manufacturing Inc. for two (2) Closed Top Ejection Aluminum Trailers, at a cost not to exceed \$170,218.00; now, therefore be it

RESOLVED, That the net Base Bid, in the amount of \$170,218.00, as submitted by Spector Manufacturing Inc. of St. Clair, PA for two (2) Closed Top Ejection Aluminum Trailers, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, Spector Manufacturing Inc., Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 189**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF SEVEN SELF-CONTAINED STATIONARY COMPACTORS FOR USE IN THE SOLID WASTE DEPARTMENT (2018 CAPITAL PLAN)**

WHEREAS, the 2018 Capital Plan identifies funding for the purchase of seven (7) Self-Contained Stationary Compactors for use in the Solid Waste Department; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of seven (7) Self-Contained Stationary Compactors for use in the Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, Room 205, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Building, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, June 6, 2018, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 190**

Supervisors WALDRON, CALLERY AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION RECLASSIFYING A SKILLED LABORER POSITION TO HEAVY EQUIPMENT OPERATOR IN THE DEPARTMENT OF SOLID WASTE**

WHEREAS, conversion to single stream recycling methods in the Solid Waste Department has resulted in realignment of certain work tasks and operations; and

WHEREAS, to promote efficient operation of the Department, the Director of Solid Waste recommends reclassifying of a Skilled Laborer position to Heavy Equipment Operator (HEO); and

WHEREAS, based upon the Job Duties Statement prepared by the Director of Solid Waste, the Personnel Director recommends reclassification of a Skilled Laborer position to Heavy Equipment Operator; and

RESOLVED, That upon the recommendation of the Director of Solid Waste, and Committees on Economic Development and Environment, Personnel and Finance, effective immediately, one (1) Skilled Laborer position (Union Job Group M-8A; 2017 permanent rate: \$17.03 per hour) be and hereby is reclassified to Heavy Equipment Operator (Union Job Group M-13; 2017 permanent rate: \$19.73 per hour) in the Solid Waste Department; and, be it further

RESOLVED, That the Director of Solid Waste and Personnel Director does each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, Personnel Director, Payroll Division, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 191**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION TO SELL CERTAIN SURPLUS VEHICLES AND EQUIPMENT (SOLID WASTE DEPARTMENT)**

WHEREAS, the Interim Director of Solid Waste has recommended a contract with Auctions International Corporation to sell surplus items on behalf of the County; and

WHEREAS, there is no cost to the County to utilize Auctions International Corporation because it charges purchasers a “buyer premium” added to the bid price; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract between the County of Fulton and Auctions International Corporation, of East Aurora, NY, to sell surplus vehicles, with compensation equaling a Buyer’s Premium of 10 percent as follows:

<b>Equipment Name</b>	<b>Year</b>	<b>Mileage/Hours</b>	<b>Recommended Minimum Bid Price</b>
Titan Model 104 Conveyor (Upper #1)		N/A	\$500
Titan Model 104 Conveyor (Upper #2)		N/A	\$500
Titan Model 104 Conveyor (Upper #3)		N/A	\$500
Titan Model 104 Conveyor long (Lower #1)	2008	N/A	\$750
Titan Model 104 Conveyor (Lower #2)	2008	N/A	\$500
Titan Model 104 Conveyor (Lower #3)	2006?	N/A	\$500
Titan Model 104 Conveyor (Lower #4)		N/A	\$500
*Titan Model 660 Conveyor (Lower #5)	2008	N/A	\$500
Titan Model 660 Conveyor (Lower #5)		N/A	\$500
Titan Model 108 Conveyor (Top Comingle)		N/A	\$500
Titan Model 661 Conveyor (Bottom Comingle Incline)	1999	N/A	\$2,000
Dings Venturedyne Magnet Model 131082 (Tin Separator)	2005	N/A	\$2,000
Dodge Ram 1500	2005	69,190	\$100
Ford Tractor Truck	1993	256,713	\$1,000
*Chevy Malibu	2005	79,641	\$500
*Ford F-150 Pickup	2002	76,694	\$200
*Man lift	1980	52.2	\$200
*International truck S1600	1986	48,212.60	\$250
*Drill rig	1980	30,601.30	\$2,000
*Water tanker	1963	N/A	\$500

and, be it further

**Resolution No. 191 (Continued)**

RESOLVED, That said contract shall be contingent upon the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Interim Director of Solid Waste, Auctions International Corporation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 192**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING SUBMISSION OF A HUD COMMUNITY DEVELOPMENT  
BLOCK GRANT APPLICATION TO ASSIST SERVICE DELI PROVISIONS  
DISTRIBUTOR, LLC**

WHEREAS, the Fulton County Center for Regional Growth has recommended that the County sponsor a HUD Community Development Block Grant Application on behalf of Service Deli Provisions Distributor, LLC (dba Deli Master Foods) for the following:

- Purchase and Renovate New Building at 104 Van Road
- Purchase New Equipment

and

WHEREAS, the Board of Supervisors, has determined that there is a need to undertake economic development projects in Fulton County; and

WHEREAS, the County of Fulton, through Fulton County Center for Regional Growth, is working with Service Deli Provisions Distributor, LLC. (dba Deli Master Foods) to expand its business operations, which is projected to create 15 new jobs; and

WHEREAS, a public hearing was held regarding said Application on May 14, 2018, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Chairman of the Board be and hereby is authorized to submit an application to the New York State Office of Community Renewal for \$225,000.00 in Fiscal Year 2018 Community Development Block Grant Funds to undertake economic development activities to assist Service Deli Provisions Distributor, LLC (dba Delia Master Foods); and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Center for Regional Growth, Fulton County Industrial Development Agency, Fulton Montgomery Regional Chamber of Commerce, City of Gloversville, City of Johnstown, All Towns, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 530 (19) Nays: 0 Abstentions: 21 (1) Supervisor Callery

**Resolution No. 193**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DEPOSIT OF FUNDS TO A DEFERRED REVENUE ACCOUNT (COMMUNITY SERVICES DEPARTMENT)

WHEREAS, the Community Services Department has received Federal Salary Sharing Funds from the NYS Office of Mental Health related to Medicaid administration second quarter of 2015 through the fourth quarter of 2015; and

WHEREAS, according to the Director of Community Services, said Medicaid administration funding must be used for one-time expenses and cannot be used for “on-going expenses”; and

WHEREAS, the County Treasurer and Budget Director/Auditor recommend depositing said funds in a deferred revenue account for future use to be decided by the Board of Supervisors; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to deposit \$47,695.00 in 2015 Federal Salary Sharing Revenue into the Community Services Deferred Revenue Account A-0691.0445 – Deferred Revenues-Mental Health; and, be it further

RESOLVED, That any future use of funds be brought in front of the Board for approval; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Community Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 194**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO SIGN FULTON  
COUNTY RUNAWAY AND HOMELESS YOUTH PLAN AND NEEDS  
ASSESSMENT FOR 2018 (DEPARTMENT OF SOCIAL SERVICES)**

WHEREAS, New York State Executive Law requires each municipality submit an annual assessment of local need for services to assist runaway and homeless youth (RHY) and youth in need of crisis intervention or respite services to the Office of Children and Family Services; and

WHEREAS, the Department of Social Services is required to complete and submit a Runaway and Homeless Youth Plan and Needs Assessment for 2018; now, therefore be it

RESOLVED, That the Chairman of the Board hereby is authorized to sign the Runaway and Homeless Youth Plan and Needs Assessment for the Department of Social Services (2018); and, be it further

RESOLVED, That the Deputy Commissioner of Social Services do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Deputy Commissioner of Social Services, NYS Office of Children and Family Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 195**

Supervisors BORN AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION WAIVING THE START RATE AND RESIDENCY RULE FOR THE HIRE OF THE SOCIAL SERVICES ATTORNEY IN THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Social Services Attorney position is vacant, due to a resignation; and

WHEREAS, the Deputy Commissioner of Social Services is experiencing difficulty filling the full-time Social Services Attorney position in the Department of Social Services; and

WHEREAS, the Deputy Commissioner has requested that the Board of Supervisors waive the start rate and residency rule for the Social Services Attorney position in order to attract qualified candidates; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Human Services, Personnel and Finance, the Deputy Commissioner of Social Services be, and hereby is, authorized to hire a Social Services Attorney (Non-Union Job Group A/T-12, 35 hrs/wk) at the permanent one-year rate of \$74,794.00 and authorization to hire an out-of-county resident, in this instance only; and, be it further

RESOLVED, That the Deputy Commissioner of Social Services and Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Deputy Commissioner of Social Services, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 196**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2017-2018 EMERGENCY  
PREPAREDNESS GRANT FROM THE NYS DEPARTMENT OF HEALTH  
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 346 of 2012 authorized acceptance of Emergency Preparedness Grant funds from the NYS Department of Health for the five (5) year grant period ending June 30, 2017; and

WHEREAS, the Director of Public Health did not submit a request to renew said grant in 2017; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the New York State Department of Health to accept an Emergency Preparedness Grant, in an amount of \$52,096.00, for the period retroactive July 1, 2017 through June 30, 2018; and, be it further

RESOLVED, that said agreement is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 197**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REALLOCATING COMPUTER TRAINING FUNDS TO PURCHASE TWO ELECTRONIC SIGNATURE PADS IN THE PUBLIC HEALTH DEPARTMENT (2017 CAPITAL PLAN)**

WHEREAS, Resolution 58 of 2018 authorized a contract with Community Computer Service/Medent for the Medical Records Server and Software Upgrade Project; and

WHEREAS, the Public Health Director now reports that two (2) electronic signature pads is more of a priority than utilizing the remaining 27.5 hours of training provided by Community Computer Service/Medent; now, therefore be it

RESOLVED, That the Public Health Director and hereby is authorized to purchase two (2) electronic signature pads with Community Computer Service/Medent for the Medical Records Server and Software Upgrade Project funds in an amount not to exceed \$800.00 in lieu of utilizing the remaining 27.5 hours of training; and, be it further

RESOLVED, That said cost be charged to H.4010.4997-2100.0860 – EXP – Medical Records Server/Software Upgrade; and, be it further

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor RICE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 198**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING YEAR 3 GRANT FUNDS FROM NORTH COUNTRY DSRIP  
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Fulton County is to receive \$1,250.00 in Year 3 grant funds via the Adirondack Health Institute under an agreement with North Country Delivery System Reform Incentive Payment (DSRIP) program; and

WHEREAS, said DSRIP funding is administered by the Adirondack Health Institute for distribution to the Public Health Department; and

WHEREAS, said funding constitutes reimbursement to the Public Health Department for completing an organizational profile within set grant requirements; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign agreements between the Public Health Department and North Country DSRIP to accept Year 3 grant funds in the amount of \$1,250.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2018 Adopted Budget be amended as follows:

Decrease A.1000.0599-0599 – REV – Appropriated Fund Balance	\$1,250.00
Increase A.4010.4010-2770 - REV- Other Unclassified Revenues	\$1,250.00

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, North Country DSRIP, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 199**

Supervisors BORN AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING AGREEMENT WITH SUNY POTSDAM FOR  
PLACEMENT OF A PUBLIC HEALTH INTERN**

WHEREAS, the Public Health Director has requested that she be allowed to sign an agreement with SUNY Potsdam placement of a Public Health Intern in the Public Health Department to gain broad exposure to the Community Health field; and

WHEREAS, the internship consists of a seven-week, 37 hour per week placement, effective July 9, 2018 through August 31, 2018; and

WHEREAS, among other training experiences, the Intern would shadow the Public Health Educator and nursing staff for the duration of the internship; now, therefore be it

RESOLVED, That the Public Health Director be and hereby is authorized to sign an agreement with SUNY Potsdam for placement of a Public Health Intern (37 hours per week), effective July 9, 2018 through August 31, 2018, contingent upon being no cost to the County of Fulton; said Agreement subject to approval of the County Attorney; and, be it further

RESOLVED, That the Public Health Director and Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 200**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF FULTON AND DOTCOM THERAPY TO PROVIDE ITINERANT SPEECH THERAPY SERVICES FOR THE PRE-SCHOOL ED 3-5 PROGRAM (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, Resolution 494 of 2017 authorized contracts between the County of Fulton and independent contractors for Preschool Ed (3-5) Itinerant Related Services in 2018; and

WHEREAS, the Public Health Director recommends adding an additional provider for said services as follows:

<u>Agency</u>	<u>Service/Function</u>	<u>2018 Rate(s)</u>	<u>Term</u>
Dotcom Therapy	Itinerant Speech Therapy Services	\$55 per half hour	6/1/18-12/31/18

and; be it further

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is empowered to sign contract with Dotcom Therapy to provide itinerant speech therapy to Preschool children 3-5 years; and, be it further

RESOLVED, That said contracts shall be subject to the approval of the County Attorney and periodic review by the Committee on Human Services of those contracted services; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor RICE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 201**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF TWO UPSTATE QUALITY IMPROVEMENT GRANTS FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES (PUBLIC DEFENDER)

WHEREAS, Resolution 73 of 2014 authorized a Resolution for a Grant Application to the NYS Office of Indigent Legal Services to Create a Part-Time Sixth Assistant Public Defender Position; and

WHEREAS, Resolution 74 of 2014 and Resolution 64 of 2015 authorized acceptance of “Upstate Quality Improvement and Caseload Reduction Grants (UQIG #C000617 and UQIG #C000717, respectively)” from the NYS Office of Indigent Legal Services; and

WHEREAS, said grants have not been fully expended by the Public Defender’s Office; and

WHEREAS, the New York State Office of Indigent Legal Services extended the grant periods of both of the aforementioned grants until December 31, 2018; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the New York State Office of Indigent Legal Services from effective immediately through December 31, 2018, Upstate Quality Improvement and Caseload Reduction Grants UQIG #C000617 and UQIG #C000717; all other terms and aspects of said contract shall remain in full force and effect; and, be it further

RESOLVED, That the Public Defender do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Defender, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 202**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF NYS DIVISION OF CRIMINAL JUSTICE SERVICES VIDEO RECORDING OF STATEMENTS GRANT FOR PURCHASE OF CERTAIN EQUIPMENT FOR AREA POLICE AGENCIES (DISTRICT ATTORNEY)**

WHEREAS, Resolution 428 of 2017 Authorized Application for a 2018 NYS Division of Criminal Justice Services Video Recording Grant from the NYS Department of Criminal Justice Services; and

WHEREAS, the District Attorney received a 2018 Video Recording of Statements Grant from the NYS Division of Criminal Justice Services for the installation of new video recording equipment in interview rooms as follows:

Fulton County Sheriff's Office	\$11,899.00
Gloversville Police Department	\$ 7,429.00
Johnstown Police Department	\$ 3,963.00
Fulton County Child Advocacy Center	<u>\$ 5,449.00</u>
Total	\$28,740.00

now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2018 NYS Division of Criminal Justice Services Video Recording Grant from the NYS Department of Criminal Justice Services, in the amount of \$64,406.00, for installation of new video recording equipment in interview rooms of the Police agencies listed herein; and, be it further

RESOLVED, that the 2018 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.1165.1165-3389 REV-State Aid-Other Public Safety \$28,740.00

Appropriation:

Increase A.1165.1165-2000 EXP-Equipment-Fixed Asset \$11,899.00  
Increase A.1165.1165-4130 EXP-Contractual \$16,841.00

RESOLVED, That the Budget Director and District Attorney do each and every other thing necessary to further the purport of this resolution; and, be it further

**Resolution No. 202 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 203**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING 2017 NYS INTEROPERABLE COMMUNICATIONS GRANT  
(CIVIL DEFENSE)

WHEREAS, Resolution 250 of 2012 authorized a Memorandum of Understanding to participate in the Adirondack Regional Interoperable Communications Consortium; and

WHEREAS, the 2018 Capital Plan identifies the first phase of a related “VHF Analog Simulcast System” to improve radio communications in the Fulton County region; and

WHEREAS, Fulton County has been notified that it has been awarded a NYS Interoperable Communications Grant in the amount of \$429,721.00; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2017 Interoperable Communications Grant in the amount of \$429,721.00 to improve communication, and control of public safety operations within Fulton County; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator shall return to the Board of Supervisors with a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator and County Treasurer do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 204**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2017 HAZARDOUS MATERIALS GRANT FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (CIVIL DEFENSE)

WHEREAS, the Fulton County Fire Coordinator’s office has received funds totaling \$357.80 as part of a response on November 18, 2017 to the Hazardous Materials Incident on the NYS Thruway ; and

WHEREAS, the funds are reimbursement for the use of vehicles and equipment by the Fulton County Hazardous Materials Team; now, therefore be it

RESOLVED, That the 2018 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.3640.3640-2770-REV-Other Unclassified Revenues \$358.00

Appropriation Account:

Increase A.3640.3640-4580-EXP-Gas-Fuel \$358.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0



**Resolution No. 206**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2017 EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM NYS OHSES (CIVIL DEFENSE)

WHEREAS, Resolution 369 of 2017 Authorized Application for a 2017 NYS Emergency Management Performance Grant; and

WHEREAS, Fulton County has been awarded \$25,665.00 in grant funds under the 2017 Emergency Management Performance Grant (EMPG); now, therefore be it

RESOLVED, That the Chairman of the Board is hereby authorized to execute appropriate documentation to accept said grant funds; and, be it further

RESOLVED, That the 2018 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.3640.3645-3306.0001 - REV- Civil Defense – SHSP \$25,665.00

Appropriation Account:

Increase A.3640.3645-2840 - EXP- SHSP – Equipment \$25,665.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 207**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PAYMENT OF UNANTICIPATED TELEPHONE EXPENSE  
IN THE SHERIFF’S DEPARTMENT WITH E-911 RESERVE FUNDS**

WHEREAS, in accordance with the County’s conversion to a new VOIP telephone system, certain telephone line changes were implemented by the Sheriff’s Department; and

WHEREAS, the Sheriff was informed that a telephone line located in the main vestibule at the Gloversville Police Department connects to the Fulton County Sheriff’s Dispatch Center and is the fiscal responsibility of the Sheriff’s Department under previous E911 consolidated dispatch agreements; and

WHEREAS, the existence/ownership of said line was undetermined until March of 2018; and

WHEREAS, the Sheriff requests that an appropriation be made from the E911 Reserve to the 2018 Adopted Budget to cover the cost of the existing balance and monthly cost through the end of the year totaling \$900.00; now, therefore be it

RESOLVED, That the 2018 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.3110.3020-1760-REV-Enhanced 911 Surcharges \$900.00

Appropriation:

Increase A.3110.3020-4080-EXP-Telephone \$900.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 208**

Supervisors BREH, FAGAN and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF A COMMERCIAL DISHWASHER TO REPLACE A BROKEN UNIT FOR USE IN THE CORRECTIONAL FACILITY

WHEREAS, the Commercial Dishwasher installed in the County Correctional Facility is approximately 24 years old and has been malfunctioning; and

WHEREAS, said malfunction was not anticipated or budgeted for; and

WHEREAS, the Sheriff and Superintendent of Highways and Facilities recommends replacement of the broken unit, because it is beyond reasonable repair; and

WHEREAS, the committee on Finance recommends a transfer from other Sheriff's Department accounts to fund this Dishwasher purchase at this time; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to purchase a Commercial Dishwasher for use in the Sheriff's Department in accordance with the Fulton County Purchasing and Audit Guidelines as follows:

(1) Commercial Dishwasher	\$15,502.00
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and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.3110.3150-4530-EXP-Supplies  
To: A.3110.3150-2010-EXP-Capital Expense  
Sum: \$15,502.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 209**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF A VOICE LOGGING RECORDER TO  
REPLACE A BROKEN UNIT IN THE E-911 COMMUNICATIONS CENTER  
(SHERIFF’S DEPARTMENT)

WHEREAS, a Voice Logging Recorder is required record and store dispatch communications in the Sheriff’s E-911 Communications Center; and

WHEREAS, due to the age and incompatibility of the current Voice Logging Recorder, the Sheriff is requesting that a new fully digital compatible Voice Logging Recorder be purchased to replace the malfunctioning unit; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Sheriff be and hereby is authorized to purchase a Voice Logging Recorder with a five (5) year maintenance plan, for the E-911 Communications Center from SHI of Somerset, New Jersey via NYS OGS State Contract PD67647 using E911 Reserve funds as follows:

Revcord Digital Voice Logging Recorder	\$42,446.00
Five (5) Year Extended Maintenance Plan	<u>23,894.00</u>
Total	\$66,340.00

and, be it further

RESOLVED, That the 2018 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.3110.3020-1760-REV-Enhanced 911 Surcharges	\$66,340.00
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Appropriation:

Increase A.3110.3020-2010-EXP-Capital Expense	\$66,340.00
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and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 210**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH ENVIRONMENTAL SYSTEMS FOR INSTALLATION OF AN ESRI-E911 SYSTEM IN THE SHERIFF’S DISPATCH CENTER (2018 CAPITAL PLAN)**

WHEREAS, the 2018 Capital Plan includes an ESRI-E911 System project for the Sheriff’s Department; and

WHEREAS, Resolution 70 of 2018 established accounts for said ESRI-E911 System Project; and

WHEREAS, the Sheriff recommends entering into a contract with Environmental Systems for purchase and installation of an ESRI-E911 System to upgrade the existing ArcGIS server and configure it for Impact VCAD dispatch software in the Fulton County E-911 Dispatch Center; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Environmental Systems of Red Lands, California, for purchase and installation of an ESRI-E911 System, including the following:

<u>Item</u>	<u>Unit Price</u>	<u>Extended Price</u>
(2) ArcGIS Desktop	\$5,769.40	\$11,538.00
Maintenance Primary and Secondary		\$2,700.00
(5) ArcGIS for Desktop Workstations	\$1,236.00	\$6,180.00
(5) Maintenance Plans	\$320.00	\$1,600.00
Cloud Upgrade		\$8,243.00
One-site Support (3 days)		\$13,600.00
(5) ESRI One-year “Training Pass”	\$535.00	<u>\$2,675.00</u>
	Total	\$46,536.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Environmental Systems, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 211**

Supervisors BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING DONATION FROM BENJAMIN MOORE AND COMPANY  
TO BENEFIT THE SHERIFF’S DEPARTMENT

WHEREAS, Benjamin Moore and Company has donated \$1,000.00 to the Sheriff’s Department for police officer training range equipment; and

WHEREAS, the Sheriff and the Committees on Public Safety and Finance recommend acceptance of said donation; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to accept said donation of \$1,000.00 from Benjamin Moore and Company for police officer training range; and, be if further

RESOLVED, That the 2018 adopted budget be and hereby is amended as follows:

Revenue:

Increase A.3110.3110-2705 – REV – Gifts and Donations \$1,000.00

Appropriation:

Increase A.3110.3110-4630 – EXP – Restraint-Rescue-Riot \$1,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to County Treasurer, Benjamin Moore and Company, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor SELMSER and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 212**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF A LARGE FORMAT SCANNER FOR USE  
IN THE COUNTY CLERK’S OFFICE AND TRANSFERS THEREFORE**

WHEREAS, the County Clerk has requested to transfer funds in order to purchase a Large Format Scanner to scan Tax Maps into the property records system in the County Clerk’s Office; and

WHEREAS, the Committee on Finance has reviewed said request and recommends proceeding with said purchase; now, therefore be it

RESOLVED, That the County Clerk be and hereby is authorized to purchase a Large Format Scanner for use in the County Clerk’s Office as follows:

(1) Large Format Scanner      \$2,495.00

and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From:	A.1410.1410-4010 - EXP- Equipment - Non-Asset	\$ 450.00	
	A.1410.1460-4530 - EXP- Supplies	\$2,150.00	
To:	A.1410.1460-2000 - EXP- Equipment - Fixed Asset		\$2,600.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 213**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE CONTRACT WITH  
JMZ ARCHITECTS AND PLANNERS, P.C. FOR ADDITIONAL  
CONSTRUCTION ADMINISTRATION SERVICES FOR THE  
FMCC ALLEN HOUSE PROJECT (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan identifies a “FMCC Allen House Project” at Fulton-Montgomery Community College; and

WHEREAS, Resolution 187 of 2017 authorized a contract with JMZ Architects and Planners, P.C. for construction administration services for the FMCC Allen House Project, at a total cost of \$62,500.00; and

WHEREAS, Resolution 552 of 2017 authorized Amendment No. 1 to the Contract with JMZ Architects and Planners, P.C. for Additional Construction Administration Services for the FMCC Allen House Project in the amount of \$14,000.00; and

WHEREAS, unforeseen issues have arisen during the construction phase of said project and FMCC officials have requested that JMZ Architects and Planners, P.C. provide additional construction administration services; now, therefore be it

RESOLVED, That upon the recommendation of the FMCC President, Planning Director and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign Contract Amendment No. 2 with JMZ Architects and Planners, P.C. for additional construction administration services as follows:

Original Contract Amount	\$62,500.00
Amendment No. 1 (Construction Administration)	14,000.00
Amendment No. 2 (Additional Construction Administration)	<u>15,250.00</u>
	\$91,750.00

all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0835 – EXP – FMCC Allen House; and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

**Resolution No. 213 (Continued)**

RESOLVED, That this Resolution is contingent upon the passage of a similar Resolution by the Montgomery County Legislature; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, JMZ Architects and Planners, P.C., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 526 (19) Nays: 0 Abstentions: 25 (1) Supervisor Young

**Resolution No. 214**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING AN ADDITIONAL DEPOSITORY FOR COUNTY FUNDS  
(COUNTY TREASURER)

WHEREAS, Resolution 441 of 2017 Designated Banks for use as depositories of County funds in 2018; and

WHEREAS, the County Treasurer desires to designate an additional depository for County Funds in 2018 as follows:

LPL Financial, Boston, MA (Treasury Bills)

now, therefore be it

RESOLVED, That the County Treasurer is hereby authorized to utilize LPL Financial for the purpose of purchasing Treasury Bills on behalf of the County of Fulton; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 215**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF THE COMMITTEE ON MORTGAGE TAX  
DISTRIBUTION

RESOLVED, That the Report of the Committee on Mortgage Tax (Finance) dated May 3, 2018, be adopted as the act and determination of the Board and that the County Treasurer be and hereby is authorized and directed to issue checks payable to the proper village, town or city officers thereto; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**MORTGAGE TAX DISTRIBUTION**

**for the period of  
October 2017 - March 2018**

	<u>TOWNS</u>	<u>VILLAGES</u>	<u>CITIES</u>	<u>Amount Credited to Town, City or Village After Deducting Expenses</u>
BLEECKER	\$ 10,760.56			\$ 10,760.56
BROADALBIN	\$ 32,452.61	\$ 2,934.10		\$ 35,386.71
CAROGA	\$ 10,200.05			\$ 10,200.05
EPHRATAH	\$ 6,102.04			\$ 6,102.04
CITY OF GLOVERSVILLE			\$ 34,818.39	\$ 34,818.39
CITY OF JOHNSTOWN			\$ 71,045.20	\$ 71,045.20
JOHNSTOWN	\$ 81,505.47			\$ 81,505.47
MAYFIELD	\$ 37,802.49	\$ 1,777.83		\$ 39,580.32
NORTHAMPTON	\$ 33,098.84	\$ 4,247.47		\$ 37,346.31
OPPENHEIM	\$ 25,859.04	\$ 581.96		\$ 26,441.00
PERTH	\$ 27,869.81			\$ 27,869.81
STRATFORD	\$ 2,962.25			\$ 2,962.25
			<b>TOTAL</b>	<b>\$ 384,018.11</b>

*Dated this 3rd day of May 2018:*

**Resolution No. 216**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF A SCANNER AND NTS PC SOFTWARE UPGRADE FOR USE IN THE BOARD OF ELECTIONS OFFICE**

WHEREAS, as part of the 2018 Adopted Budget Equipment request, the Board of Elections was approved to upgrade their NTS Data Service Software and purchase a Time Stamp Machine; and

WHEREAS, to be compatible with the updated NTS software, a updated scanner is required; and

WHEREAS, the Board of Election Commissioners have determined that a scanner is more important than the Time Stamp Machine (\$500.00) that was previously approved as part of the 2018 Adopted Budget; now, therefore be it

RESOLVED, That the Board of Elections Commissioners be and hereby are authorized to purchase a Scanner and NTS PC Software Upgrade in an amount not to exceed \$2,500.00 for use in the Board of Elections Office; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.1450.1450-2000 - EXP-Equipment-Fixed Asset  
To: A.1450.1450-4010 - EXP-Equipment-Non-Asset  
Sum: \$2,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Election Commissioners, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 217**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ENVELOPES FOR  
USE IN THE INFORMATION SERVICES/PRINTING DEPARTMENT**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of envelopes for use in the Information Services/Printing Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to the Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, June 13, 2018, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services/Printing Director, Printing Division and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 218**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW 1 OF 2018 “A LOCAL LAW AMENDING LOCAL LAW 5 OF 2017 THAT ESTABLISHED A SUSTAINABLE ENERGY LOAN PROGRAM IN THE COUNTY OF FULTON TO ADOPT PACE FINANCING 2.0”

WHEREAS, proposed Local Law 1 of 2018 entitled, “A LOCAL LAW AMENDING LOCAL LAW 5 OF 2017 THAT ESTABLISHED A SUSTAINABLE ENERGY LOAN PROGRAM IN THE COUNTY OF FULTON TO ADOPT PACE FINANCING 2.0” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on May 14, 2018, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 1, hereinabove referenced, be and hereby is approved; and, be it further

RESOLVED, That the Clerk of the Board is directed to number said local law for appropriate recording and filing purposes; and, be it further

RESOLVED, That the Chairman of the Board of Supervisors and County Attorney be authorized and empowered to do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, NYS Secretary of State, Fulton County Code Book, Fulton County Center for Regional Growth, Fulton County IDA, Fulton-Montgomery Chamber of Commerce, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**LOCAL LAW 1 OF 2018, AMENDING LOCAL LAW 5 OF 2017 THAT ESTABLISHED  
A SUSTAINABLE ENERGY LOAN PROGRAM IN THE COUNTY OF FULTON**

Be it enacted by the ~~Board of Supervisors of the~~ County of Fulton as follows:

**Section 1.** ~~The Code of the County of Fulton is hereby amended by adding a new Chapter, entitled~~ This Local Law shall be known as the “Energize NY Benefit Financing Program Local Law,” It amends Local Law 5 of 2017 with additions (underlined) and deletions (strike through) and shall read as follows:

**ARTICLE I**

**§1. Legislative findings, intent and purpose, authority.**

- A. It is the policy of both the County of Fulton and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, and support clean energy. The County of Fulton finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewable energy systems and energy efficiency measures. This chapter establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County of Fulton, pursuant to the municipal agreement to be entered into between the County of Fulton and EIC pursuant to Article 5-G of the New York General Municipal Law (the “Municipal Agreement”) to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this ~~chapter law~~ and fulfilling an important public purpose.
- B. The County of Fulton is authorized to implement this Energize NY Benefit Financing Program pursuant to the Municipal Home Rule Law Article 5-L of the New York General Municipal Law.
- C. This ~~chapter law~~ shall be known and may be cited as the “Energize NY Benefit Financing Program Local Law”.

**§2. Definitions**

For purposes of this ~~chapter law~~, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Authority** – The New York State Energy Research and Development Authority, as defined by subdivision two of section eighteen hundred fifty-one of the ~~public authorities law~~ Public Authority Law, or its successor.

**EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section fourteen hundred eleven of the Not-For-Profit Corporation Law, authorized hereby on behalf of the County of Fulton to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this ~~chapter~~ law) and providing for repayment of such funds from monies collected by the County of Fulton ~~tax collector~~ tax collecting officer as a charge to be levied on the real property and collected in the same manner and same form as the County of Fulton taxes.

**Energy Audit** – A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

**Energy Efficiency Improvement** – Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation, and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority, not including lighting measures or household appliances that are not permanently fixed to real property.

**Qualified Property Owner** – An owner of residential or commercial real property located within the boundaries of the County of Fulton that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this law.

**Renewable Energy System** – An energy generating system for the generation of electric or thermal energy, to be used primarily at such property, except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

**Renewable Energy System Feasibility Study** – A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

### **§3. Establishment of an Energize NY Benefit Financing Program**

A. An Energize NY Benefit Financing Program is hereby established by the County of Fulton, whereby EIC acting on its behalf, pursuant to the Municipal Agreement, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this ~~chapter~~ law, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.

- B. ~~The For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors including but not limited to the property value, projected savings, project cost, and existing indebtedness secured by such property. shall not exceed the lesser of ten percent of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.~~
- C. For financings made to a Qualified Property Owner who is an individual, the funds provided shall not exceed the lesser of: (i) ten percent of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or (ii) the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

#### **§4. Procedures for eligibility**

- A. Any property owner in the County of Fulton may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County of Fulton offices.
- B. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County of Fulton, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in ~~subsection A of~~ section 5 of this ~~chapter~~ law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC acting on behalf of the County of Fulton, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under section 6 of this ~~chapter~~ law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

#### **§5. Application criteria**

- A. Upon the submission of an application, EIC acting on behalf of the County of Fulton, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

1. A. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective based on guidelines issued by the Authority;
2. B. The proposed property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding; Energy Efficiency Improvements and/or Renewable Energy Systems will generate an estimated annual cost savings greater than the annual charge payments;
3. C. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
4. D. Sufficient funds are available from EIC to provide financing to the property owner;
5. E. The property owner is current in payments on any existing mortgage;
6. F. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three years; and
7. G. Such additional criteria, not inconsistent with the criteria set forth above, as the County of Fulton, or EIC acting on its behalf, may set from time to time.

#### **§6. Opt-in, Energize NY Finance Agreement**

- A. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an ~~Energize Finance Agreement~~ energize NY finance agreement made by and between the Qualified Property Owner and EIC, acting on the behalf of the County of Fulton (the “Energize NY Finance Agreement”).
- B. Upon execution of the Energize NY Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of County of Fulton, for the acquisition, construction, and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of ~~section~~ Section 7 of this ~~chapter~~ law have been met.
- C. The Energize NY Finance Agreement shall include the terms and conditions of repayment set forth under section 8 of this ~~chapter~~ law.

#### **§7. Energy audit, renewable energy system feasibility study**

- A. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 2.
- B. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 2.
- C. The cost of such Energy Audit and/or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

## **§8. Terms and conditions of repayment**

The Energize NY Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County of Fulton, shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their County of Fulton tax bill and shall be levied and collected at the same time and in the same manner as County of Fulton property taxes, provided that such charge shall be separately listed on the tax bill. The County of Fulton, shall make payment to EIC or its designee in the amount of all such separately listed charges within 30 days of the ~~County of Fulton tax~~ date the payment is due date to be made to the County of Fulton.
- B. The term of such repayment shall be determined at the time the Energize NY Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by EIC acting on behalf of the County of Fulton.
- C. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County of Fulton at the time the Energize NY Finance Agreement is executed by the property owner and EIC.
- D. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program as set forth in Article 5-L of the General Municipal Law and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

## **§9. Verification and report**

- A. EIC shall be responsible for verifying and reporting to the County of Fulton on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such ~~program~~ Program.
- B. The County of Fulton shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

**Section 2.** This local law shall take effect upon filing with the Secretary of State.

**Resolution No. 219**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN BUDGET AMENDMENTS**

RESOLVED, That the 2018 Adopted Budget be and hereby is amended as follows:

Treasurer

Revenue:

Increase A.1000.5630-3594 – REV – State Aid Buses and Other Mass Transportation Projects \$60,000.00

Appropriation:

Increase A.1000.5630-4130 – EXP – Contractual \$60,000.00

Sheriff

Increase A.1000.0599-0599 – REV – Appropriated Fund Balance \$ 972.00

Appropriation:

Decrease A.3110.3110-1100 – EXP – Overtime \$ 972.00

Revenue:

Increase A.3110.3110-2680 – REV – Insurance Recoveries \$ 5,818.00

Appropriation:

Increase A.3110.3110-4540 – EXP – Vehicle Maintenance \$ 5,818.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 220**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING USE OF THE FULTON COUNTY COURT HOUSE FOR  
SUSAN B. ANTHONY HISTORICAL PRESENTATION**

WHEREAS, a Facilities Use Application has been received from Elizabeth Cady Stanton Women's Consortium requesting permission to utilize the Fulton County Court House for a Susan B. Anthony Historical Presentation; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds, Elizabeth Cady Stanton Women's Consortium be and hereby is authorized to utilize the Fulton County Court House at 223 W. Main Street, Johnstown for a historical presentation on Susan B. Anthony on Saturday, November 3, 2018 from 2:00 p.m. to 4:00 p.m., with Fulton County waiving any associated custodial fees; and, be it further

RESOLVED, That the Administrative Officer/Clerk of the Board do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Elizabeth Cady Stanton Women's Consortium, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 221**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING COMMISSIONER OF SOCIAL SERVICES**

RESOLVED, That Anne Solar, of Johnstown, NY, be and hereby is appointed Commissioner of Social Services for Fulton County, for a term beginning June 1, 2018 through May 31, 2023; and, be it further

RESOLVED, That the County Treasurer is hereby authorized to pay such Commissioner the salary reflected in the annual Non-Union Salary Structure, in equal bi-weekly installments; and, be it further

RESOLVED, That Anne Solar be and hereby is directed to complete the Fulton County Board of Ethics' Financial Disclosure Statement and sign the Fulton County Oath Book located in the County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Personnel Director, Social Services Commissioner, All Department Heads, Board of Ethics, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0